

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

SHERWOOD BROWN,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. CIV-13-612-M
	)	
OKLAHOMA SUPREME COURT,	)	
	)	
Defendant.	)	

**ORDER**

On June 28, 2013, United States Magistrate Judge Shon T. Erwin issued a Report and Recommendation in this action. The Magistrate Judge recommended that plaintiff's motion to appear *in forma pauperis* be denied and that this action be dismissed without prejudice to refiling unless plaintiff pays the \$400.00 filing fee in full to the Clerk of Court within twenty days of any order adopting the Report and Recommendation. Plaintiff was advised of his right to object to the Report and Recommendation by July 18, 2013. On July 17, 2013, plaintiff filed his response and withdrawal. In his response, plaintiff states that the fee can not be paid and that he declines to proceed any further with this matter.

Having carefully reviewed this matter de novo, and in light of plaintiff's response, the Court:

- (1) ADOPTS the Report and Recommendation [docket no. 5] issued by the Magistrate Judge on June 28, 2013;
- (2) DENIES plaintiff's motion to appear *in forma pauperis* [docket no. 2], and
- (3) DISMISSES this action without prejudice.

**IT IS SO ORDERED this 24th day of July, 2013.**

  
VICKI MILES-LAGRANGE  
CHIEF UNITED STATES DISTRICT JUDGE